

# The Gazette of India

## EXTRAORDINARY PART II—Section 3—Sub-section (1) PUBLISHED BY AUTHORITY

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No. 148] NEW DELHI, TUESDAY, SEPTEMBER 30, 1958/ASVINA 8, 1880

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### MINISTRY OF HOME AFFAIRS

#### NOTIFICATION

*New Delhi-1, the 30th September 1958/8th Asvina, 1880*

**G.S.R. 894.**—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Delhi the Indian Stamp (Punjab Amendment) Act, 1958 (Punjab Act 13 of 1958), subject to the following modifications, namely:—

1. Throughout the Act, reference to "State of Punjab" shall be construed as reference to "Union territory of Delhi".

2. For sub-section (3) of section 1, the following sub-section shall be substituted, namely:—

(3) "It shall come into force on the 1st day of October, 1958".

3. In section 2, after the words and figures "by Punjab Act No. VIII of 1922" the words "as in force in the said territory" shall be inserted.

#### ANNEXURE

### THE INDIAN STAMP (PUNJAB AMENDMENT) ACT, 1958, AS EXTENDED TO THE UNION TERRITORY OF DELHI.

**1. Short title, extent and commencement.**—(1) This Act may be called the Indian Stamp (Punjab Amendment) Act, 1958.

(2) It extends to the whole of the Union Territory of Delhi.

(3) It shall come into force on the first day of October, 1958.

**2. Substitution of Schedule I-A annexed to the Indian Stamp Act, 1899.**—In the Indian Stamp Act, 1899, in its application to the Union territory of Delhi, for Schedule I-A, as annexed to the said Act by Punjab Act No. VIII of 1922, as in force in the said territory, the Schedule hereinafter annexed to this Act shall be substituted.

SCHEDULE I-A  
Stamp Duty on Certain Instruments  
Under the Indian Stamp (Punjab  
Amendment) Act, 1922

NOTE.—The articles in Schedule I-A are numbered so as to correspond with similar articles in Schedule I.

Description of Instrument	Proper stamp duty
1. Acknowledgement . . . . .	Fifteen Naye Paise.
2. Administration Bond, including a bond given under section 6 of the Government Savings Bank Act, 1873, or sections 291, 375 and 376 of the Indian Succession Act, 1925—	
(a) where the amount does not exceed Rs. 1,000	The same duty as a Bond (No. 15) for such amount.
(b) in any other case	Ten rupees.
3. ADOPTION-DEED, that is to say, any instrument (other than a Will), recording an adoption, or conferring or purporting to confer an authority to adopt.	Twenty-five rupees.
ADVOCATE.— See Entry as an Advocate (No. 30)	
4. AFFIDAVIT, including an affirmation or declaration in the case of persons by law allowed to affirm or declare instead of swearing.	Two rupees.

*Exemptions.*

Affidavit or declaration in writing when made—

- (a) as a condition of enrolment under the Army Act, 1950; or Air Force Act, 1950;
- (b) for the immediate purpose of being filed or used in any court or before the officer of any court; or
- (c) for the sole purpose of enabling any person to receive any pension or charitable allowance.

AGREEMENT OR MEMORANDUM OF AN AGREEMENT—

- (a) if relating to the sale of a bill of exchange; Twenty-five Naye Paise.
- (b) if relating to the sale of a Government Security or share in an incorporated company or other body corporate; Subject to a maximum of fifteen rupees, fifteen Naye Paise for every Rs. 10,000 or part thereof of the value of the security or share.
- (c) if not otherwise provided for one rupee, fifty Naye Paise.

*Exemptions.*

Agreement or memorandum of agreement—

- (a) for or relating to the sale of goods or merchandise exclusively, not being a Note or Memorandum chargeable under No. 43 ;
- (b) made in the form of tenders to the Central Government for or relating to any loan.

Description of Instrument

Proper stamp duty

AGREEMENT TO LEASE—*See* Lease  
(No. 35).

6. Agreement Relating To Deposit Of Title-Deeds, Pawn or Pledge, that is to say, any instrument evidencing an agreement relating to—

(1) the deposit of title-deeds or instruments constituting or being evidence of the title to any property whatever (other than a *marketable security*), or

(2) the pawn or pledge of moveable property, where such deposit, pawn or pledge has been made by way of security for the repayment of money advanced or to be advanced by way of loan or an existing or future debt—

(a) if such loan or debt is repayable on demand or more than three months from the date of the instrument evidencing the agreement—

(i) when the amount of loan or debt does not exceed Rs. 200 Forty Naye Paise.

(ii) when it exceeds Rs. 200, but does not exceed Rs. 400 Eighty Naye Paise.

when it exceeds Rs. 400, but does not exceed Rs. 600 One rupee, ten Naye Paise.

when it exceeds Rs. 600, but does not exceed Rs. 800 One rupee, thirty Naye Paise.

when it exceeds Rs. 800, but does not exceed Rs. 1,000 One rupee, eighty Naye Paise.

when it exceeds Rs. 1,000, but does not exceed Rs. 1,200 Two rupees, twenty Naye Paise.

when it exceeds Rs. 1,200, but does not exceed Rs. 1,600 Two rupees, eighty Naye Paise.

when it exceeds Rs. 1,600 but does not exceed Rs. 2,500 Four rupees, twenty Naye Paise.

when it exceeds Rs. 2,500, but does not exceed Rs. 5,000 Eight rupees, fifty Naye Paise.

when it exceeds Rs. 5,000, but does not exceed Rs. 7,500 Twelve rupees, fifty Naye Paise.

when it exceeds Rs. 7,500, but does not exceed Rs. 10,000 Sixteen rupees, thirty Naye Paise.

when it exceeds Rs. 10,000, but does not exceed Rs. 15,000 Twenty-five rupees, thirty Naye Paise.

when it exceeds Rs. 15,000 but does not exceed Rs. 20,000 Thirty-three rupees, thirty Naye Paise.

when it exceeds Rs. 20,000, but does not exceed Rs. 25,000 Forty-one rupees, thirty Naye Paise.

when it exceeds Rs. 25,000 but does not exceed Rs. 30,000 Fifty rupees, seventy Naye Paise.

and for every additional Rs. 10,000 or part thereof in excess of Rs. 30,000 Sixteen rupees, thirty Naye Paise.

(b) If such loan or debt is repayable not more than three months from the date of such instrument, Half the duty payable on a loan or debt under clause (a) (i) or clause (a) (ii) for the amount secured.

*Exemption.*

Instrument of pawn or pledge of goods if unattested

Description of Instrument	Proper stamp duty
7. APPOINTMENT IN EXECUTION OF A POWER, whether of trustees or of property, moveable or immoveable, where made by any writing not being a will.	Twenty-five rupees.
8. APPRAISEMENT OR VALUATION made otherwise than under an order of the Court in the course of a suit—	
(a) where the amount does not exceed Rs. 1,000	The same duty as a Bottomry Bond (No. 16) for such amount.
(b) in any other case	Ten rupees.
<i>Exemptions.</i>	
(a) Appraisement of valuation made for the information of one party only, and not being in any manner obligatory between parties either by agreement or operation of law.	
(b) Appraisement of crops for the purpose of ascertaining the amount to be given to a landlord as rent.	
9. APPRENTICESHIP-DEED, including every writing relating to the service or tuition of any apprentice, clerk or servant placed with any master to learn any profession, trade or employment, not being articles of clerkship (No. 11).	As in Schedule I.
<i>Exemption.</i>	
Instrument of apprenticeship executed by a Magistrate under the Apprentices Act 1850, or by which a person is apprenticed by, or at the charge of, any public charity.	
10. ARTICLES OF ASSOCIATION OF A COMPANY:—	
(a) when the authorised capital of the company does not exceed one lac ;	Forty rupees.
(b) in other cases	Eighty rupees.
<i>Exemption.</i>	
Articles of any Association not formed for profit and registered under section 25 of the Companies Act, 1956.	
Also Memorandum of Association of a Company (No. 39).	
11. ARTICLES OF CLERKSHIP	As in Schedule I.
ASSIGNMENT.— See Conveyance (No. 23), Transfer (No. 62), and Transfer of Lease (No. 63), as the case may be.	
ATTORNEY.— See entry as an Attorney (No. 30), and Power of Attorney (No. 48).	
AUTHORITY TO ADOPT.— See Adoption Decd (No. 3).	

Description of Instrument	Proper stamp duty
12. AWARD, that is to say, any decision in writing by an arbitrator or umpire, not being an award directing a partition, on a reference made otherwise than by an order of the Court in the course of a suit—	
(a) where the amount or value of the property to which the award relates as set forth in such award, does not exceed Rs. 1,000 ;	The same duty as a Bond (No. 15) for such amount.
(b) if it exceeds Rs 1,000 but does not exceed Rs. 5,000	Ten rupees.
and for every additional Rs 1,000 or part thereof in excess of Rs 5,000	Seventy-five Naye Paise subject to a maximum of seventy-five rupees.
13. BILL OF EXCHANGE	As in Schedule I.
14. BILL OF LADING (including a through bill of lading).	Fifty Naye Paise. <i>N.B.</i> — If a bill of lading is drawn in parts the proper stamp therefor must be borne by each one of the set.
15 BOND as defined by section 2(5), not being a DEBENTURE (No. 27), and not being otherwise provided for by this Act, or by the Courts Act, 1870—	
where the amount or value secured does not exceed Rs 10 ;	Twenty Naye Paise.
where it exceeds Rs 10 and does not exceed Rs 50 ;	Forty Naye Paise.
where it exceeds Rs 50 and does not exceed Rs 100 ;	Seventy-five Naye Paise.
where it exceeds Rs 100 and does not exceed Rs 200 ;	One rupee, fifty Naye Paise.
where it exceeds Rs 200 and does not exceed Rs 300 ;	Two rupees, twenty-five Naye Paise.
where it exceeds Rs 300 and does not exceed Rs 400 ;	Three rupees.
where it exceeds Rs 400 and does not exceed Rs 500 ;	Three rupees, seventy-five Naye Paise.
where it exceeds Rs 500 and does not exceed Rs 600 ;	Six rupees.
where it exceeds Rs 600 and does not exceed Rs 700 ;	Seven rupees.
where it exceeds Rs 700 and does not exceed Rs 800 ;	Eight rupees.
where it exceeds Rs 800 and does not exceed Rs 900 ;	Nine rupees.
where it exceeds Rs 900 and does not exceed Rs 1,000 ;	Ten rupees.
and for every Rs 500 or part thereof in excess of Rs 1,000.	Five rupees.

*See* Administration Bond (No. 2), Bottomry Bond (No. 16), Customs Bond (No. 26), Indemnity Bond (No. 34), Respondentia Bond (No. 56), Security Bond (No. 57).

Description of Instrument	Proper stamp duty
<i>Exemption.</i>	
Bond when executed by any person for the purpose of guaranteeing that the local income derived from private subscription to a charitable dispensary or hospital or to any other object of public utility, shall not be less than a specified sum per mensem.	
16. BOTTOMRY BOND, that is to say, any instrument whereby the master of a sea-going ship borrow money on a security of the ship to enable him to preserve the ship or prosecute her voyage where the amount or value secured does not exceed Rs 10 ;	Twenty Naye Paise.
where it exceeds Rs 10 and does not exceed Rs 50 ;	Forty Naye Paise.
where it exceeds Rs 50 and does not exceed Rs 100 ;	Seventy-five Naye Paise.
where it exceeds Rs 100 and does not exceed Rs 200 ;	One rupee, fifty Naye Paise.
where it exceeds Rs 200 and does not exceed Rs 300 ;	Two rupees, twenty-five Naye Paise.
where it exceeds Rs 300 and does not exceed Rs 400 ;	Three rupees.
where it exceeds Rs 400 and does not exceed Rs 500 ;	Three rupees, seventy-five Naye Paise.
where it exceeds Rs 500 and does not exceed Rs 600 ;	Four rupees, fifty Naye Paise.
where it exceeds Rs 600 and does not exceed Rs 700 ;	Five rupees, twenty-five Naye Paise.
where it exceeds Rs 700 and does not exceed Rs 800 ;	Six rupees.
where it exceeds Rs 800 and does not exceed Rs 900 ;	Six rupees, seventy-five Naye Paise.
where it exceeds Rs 900 and does not exceed Rs 1,000 ;	Seven rupees, fifty Naye Paise.
and for every rupees 500 or part thereof in excess of Rs. 1,000.	Three-rupees, seventy-five Naye Paise.
17. CANCELLATION—Instrument of (including any instrument by which any instrument previously executed is cancelled), if attested and not otherwise provided for.	Ten rupees.
<i>See also Release (No. 55), Revocation of Settlement No. 58-B), Surrender of Lease No. 61), Revocation of Trust (No. 64-B).</i>	
18. CERTIFICATE OF SALE (in respect of each property put up as a separate lot and sold), granted to the purchaser of any property sold by public auction by a Civil or Revenue Court, or Collector or other Revenue Officer.	The same duty as a Conveyance (No. 23) for a consideration equal to the amount of the purchase-money only.
19. CERTIFICATE OR OTHER DOCUMENT.	Twenty-five Naye Paise.
20. CHARTER PARTY, that is to say, any instrument (except an agreement for the hire of a tug steamer), whereby a vessel or some specified principal part thereof is let for the specified purposes of the charterer, whether it includes a penalty clause or not.	Two- rupees.

Description of Instrument.	Proper stamp duty.
<p>22. COMPOSITION-DEED, that is to say, any instrument executed by a debtor whereby he conveys his property for the benefit of his creditors, or whereby payment of a composition or dividend on their debts is secured to the creditors or whereby provision is made for the continuance of the debtor's business under the supervision of inspectors or under letters of licence, for the benefit of his creditors.</p>	<p>Twenty rupees</p>
<p>23. CONVEYANCE as defined by section 2(10) not being a Transfer charged or exempted under No. 62—</p>	<p>(1) If it relates to immoveable property situate within the limit of a Municipality, Cantonment Board, or Notified Area.</p> <p>(2) In other cases.</p>
<p>where the value of amount of the consideration for such conveyance as set forth therein does not exceed Rs. 50;</p>	<p>One rupee, fifty Naye Paisa.      One rupee.</p>
<p>where it exceeds Rs. 50, but does not exceed Rs. 100;</p>	<p>Three rupees.      Two rupees.</p>
<p>where it exceeds Rs. 100, but does not exceed Rs. 200;</p>	<p>Six rupees.      Four rupees.</p>
<p>where it exceeds Rs. 200, but does not exceed Rs. 300;</p>	<p>Nine rupees.      Six rupees.</p>
<p>where it exceeds Rs. 300, but does not exceed Rs. 400;</p>	<p>Twelve rupees.      Eight rupees.</p>
<p>where it exceeds Rs. 400, but does not exceed Rs. 500;</p>	<p>Fifteen rupees.      Ten rupees.</p>
<p>where it exceeds Rs. 500, but does not exceed Rs. 600;</p>	<p>Eighteen rupees.      Twelve rupees.</p>
<p>where it exceeds Rs. 600, but does not exceed Rs. 700;</p>	<p>Twenty-one rupees.      Fourteen rupees.</p>
<p>where it exceeds Rs. 700, but does not exceed Rs. 800;</p>	<p>Twenty-four rupees.      Sixteen rupees.</p>
<p>where it exceeds Rs. 800, but does not exceed Rs. 900;</p>	<p>Twenty-seven rupees.      Eighteen rupees.</p>
<p>where it exceeds Rs. 900, but does not exceed Rs. 1,000;</p>	<p>Thirty rupees.      Twenty rupees.</p>
<p>and for every Rs. 500 or part thereof in excess of Rs. 1,000.</p>	<p>Fifteen rupees      Ten rupees.</p>

*Exemption.*

Assignment of copyright under the Copyright Act, 1957, Section 18.

CO-PARTNERSHIP-DEED. See Partnership (No. 46).

24. COPY OR EXTRACT certified to be true copy or extract, by or by order of any public officer and not chargeable under the law for the time being in force relating to court-fees—

- |  |                          |
|--|--------------------------|
| (i) if the original was not chargeable with duty or if the duty with which it was chargeable does not exceed two rupees; | Seventy-five Naye Paise. |
| (ii) in any other case not falling within the provisions of section 6-A.   | Two rupees.              |

Description of Instrument.	Proper stamp duty.
<i>Exemptions.</i>	
(a) Copy of any paper which a public officer is expressly required by law to make or furnish for record in any public office or for any public purpose.	
(b) Copy of, or extract from, any register relating to births, baptisms, namings, dedications, marriages, divorces, deaths or burials.	
25. COUNTERPART OR DUPLICATE of any instrument chargeable with duty in respect of which the proper duty has been paid—	
(a) if the duty with which the original instrument is chargeable does not exceed two rupees;	Seventy-five Naye Paise.
(b) in any other case not falling within the provisions of section 6-A.	Two rupees.
<i>Exemption.</i>	
Counterpart of any lease granted to a cultivator, when such lease is exempted from duty.	
26. CUSTOMS-BOND—	
(a) where the amount does not exceed Rs. 1,000	The same duty as a Bond (No. 15) for such amount.
(b) in any other case	Ten rupees.
27. DEBENTURE (whether a mortgage debenture or not), being a marketable security transferable—	
(a) by endorsement or by a separate instrument of transfer;	The same duty as a Bond (No. 15) for the same amount.
(b) by delivery	The same duty as a mortgage-deed with possession [No. 45(a)] for the amount equal to the face amount of the debenture.
<i>Explanation.</i> —The term “Debenture” includes any interest coupons attached thereto, but the amount of such coupons shall not be included in estimating the duty.	
<i>Exemption.</i>	
A debenture issued by an incorporated company or other body corporate in terms of a registered mortgage-deed, duly stamped in respect of the full amount of debentures to be issued thereunder, whereby the company or body borrowing makes over, in whole or in part, their property to trustees for the benefit of the debenture-holders; provided that the debentures so issued are expressed to be issued in terms of the said mortgage-deed.	
See also Bond (No. 15) and sections 8 and 55. Declaration of any Trust—See Trust (No. 64).	
28. DELIVERY ORDER IN RESPECT OF GOODS, DEPOSIT OF TITLE DEEDS,— See Agreement relating to Deposit of Title-Deeds, Pawn or Pledge (No. 6). Dissolution of Partnership—See Partnership (No. 46).	Fifteen Naye Paise.



Description of Instrument	Proper stamp duty
<p>29. DIVORCE. Instrument of—that is to say, any instrument by which any person effects the dissolution of his marriage.</p> <p>DOWER. Instrument of—<i>See</i> Settlement (No. 58).</p> <p>DUPLICATE. <i>See</i> Counterpart (No. 25)</p>	Twenty rupees.
<p>30. ENTRY AS AN ADVOCATE, VAKIL OR ATTORNEY ON THE ROLL OF THE HIGH COURT (Under the Indian Bar Councils Act, 1926, or in exercise of powers conferred on such Court by Letters Patent or by the Legal Practitioners Act, 1884)—</p> <p>(a) in the case of an Advocate or Vakil</p> <p>(b) in the case of an Attorney</p>	<p>Five hundred rupees.</p> <p>Five hundred rupees.</p>
<i>Exemption.</i>	
Entry of an Advocate, Vakil or Attorney on the roll of the High Court, when he has previously been enrolled in any other High Court.	
<p>31. EXCHANGE OF PROPERTY, Instrument of— EXTRACT—<i>See</i> Copy (No. 24)</p>	<p>The same duty as a Conveyance (No. 23) as levied by this Act for a consideration equal to the value of the property greatest value as set forth in such instrument.</p>
<p>32. FURTHER CHARGE. Instrument of, that is to say, any instrument imposing a further charge on mortgaged property—</p>	<p>The same duty as a mortgage deed with possession [No. 40 (a)] for the amount equal to the amount of the further charge secured by such instrument.</p>
<p>(a) when the original mortgage is one of the description referred to in clause (a) of Article No. 40 that is, with possession;</p>	<p>The same duty as a mortgage deed with possession [No. 40(a)] for the amount equal to the total amount of the charge (including the original mortgage and any further charge already made) less the duty already paid on such original mortgage and further charge.</p>
<p>(b) when such mortgage is one of the description referred to in clause (b) of Article No. 40 (that is, without possession)—</p>	
<p>(i) if at the time of execution of the instrument of further charge possession of the property is given or agreed to be given under such instrument;</p>	
<p>(ii) if possession is not so given</p>	<p>The same duty as a Bond (No. 15) for the amount of the further charge secured by such instrument.</p>
<p>33. GIFT—Instrument of, not being a Settlement (No. 54), or will or Transfer (No. 62).</p>	<p>The same duty as a Conveyance (No. 23) as levied by this Act for a consideration equal to the value of the property as set forth in such instrument.</p>
<p>HIRING AGREEMENT or agreement for service—<i>See</i> Agreement (No. 5).</p>	

Description of Instrument	Proper stamp duty
<p>34. INDEMNITY BOND . . . . . INSPECTORSHIP-DEED—See Composition-deed (No. 22).</p>	<p>The same duty as a Security Bond (No. 57) for the same amount.</p>
<p>35. LEASE, including an under-lease or sub-lease and any agreement to let or sublet—</p>	
(a) where by such lease the rent is fixed and no premium is paid or delivered—	
(i) where the lease purports to be for a term of less than one year ;	<p>The same duty as a Bond (No. 15) for the whole amount payable or deliverable under such lease.</p>
(ii) where the lease purports to be for a term of not less than one year, but not more than five years ;	<p>The same duty as a Bond (No. 15) for the amount or value of the average annual rent reserved</p>
(iii) where the lease purports to be for a term exceeding five years and not exceeding ten years ;	<p>The same duty as a Conveyance (No. 23) as levied by this Act, for a consideration equal to the amount or value of the average annual rent reserved</p>
(iv) where the lease purports to be for a term exceeding 10 years but not exceeding 20 years ;	<p>The same duty as a Conveyance (No. 23) as levied by this Act, for a consideration equal to twice the amount or value of the average annual rent reserved.</p>
(v) where the lease purports to be for a term exceeding 20 years, but not exceeding 30 years ;	<p>The same duty as a Conveyance (No. 23) as levied by this Act, for a consideration equal to three times the amount or value of the average annual rent reserved.</p>
(vi) where the lease purports to be for a term exceeding 30 years, but not exceeding 100 years ;	<p>The same duty as a Conveyance (No. 23) as levied by this Act, for a consideration equal to four times the amount or value of the average annual rent reserved.</p>
(vii) where the lease purports to be for a term exceeding 100 years or in perpetuity ;	<p>The same duty as a Conveyance (No. 23) as levied by this Act, for a consideration equal in the case of a lease granted solely for agricultural purposes to 1/10th and in any other case to 1/6th of the whole amount of rents which would be paid or delivered in respect of the first fifty years of lease.</p>
(viii) where the lease does not purport to be for any definite term	<p>The same duty as a Conveyance (No. 23) as levied by this Act, for a consideration equal to three times the amount or value of the average annual rent which would be paid or delivered for the first ten years if the lease continued so long.</p>
(b) where lease is granted for a fine or premium or for money advanced and where no rent is reserved	<p>The same duty as a Conveyance (No. 23) as levied by this Act, for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease.</p>
(c) where the lease is granted for a fine or premium or for money advanced in addition to rent reserved.	<p>The same duty as a Conveyance (No. 23) as levied by this Act, for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease, in addition to the duty which would have been payable on such lease, if no fine or premium or advance had been paid or delivered.</p>

Description of Instrument

Proper stamp duty

*Exemption.*

Lease, executed in the case of a cultivator and for the purposes of cultivation (including a lease of trees for the production of food or drink) without the payment or delivery of any fine or premium, when a definite term is expressed and such term does not exceed one year, or when the average annual rent reserved does not exceed one hundred rupees.

In this exemption a lease for the purposes of cultivation shall include a lease of lands for cultivation together with a home stead or tank.

*Explanation.*—When a lessee undertakes to pay any recurring charge, such as Government revenue, the landlord's share of cesses, or the owner's share of municipal rates, or taxes, which is by law recoverable from the lessor, the amount so agreed to be paid by the lessee shall be deemed to be part of the rent.

36. LETTER OF ALLOTMENT OF SHARES . . . . . Twenty Naye Paise.

37. LETTER OF CREDIT . . . . . As in Schedule I.  
LETTER OF GUARANTEE—See Agreement (No. 5).

38. LETTER OF LICENSE, that is to say, any agreement between a debtor and his creditors that the latter shall, for a specified time, suspend their claims and allow the debtor to carry on business at his own discretion. . . . . Twenty rupees.

39. MEMORANDUM OF ASSOCIATION OF A COMPANY—

(a) if accompanied by articles of association under sections 26, 27 and 28 of the Companies Act, 1956. . . . . Forty rupees.

(b) if not so accompanied . . . . . One hundred rupees.

*Exemption*—Memorandum of any association not formed for profit and registered under section 25 of the Companies Act, 1956.

40. MORTGAGE-DEED, not being an agreement relating to Deposit of Title deeds, Pawn or pledge (No. 6), Bottomry Bond (No. 16), Mortgage of a Crop (No. 41), Respondentia Bond (No. 56), or Security Bond (No. 57)—

(a) when possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given—

where the amount secured by such instrument does not exceed Rs. 50 ; . . . . . Seventy-five Naye Paise.

Description of Instrument	Proper stamp duty
where it exceeds Rs. 50, but does not exceed Rs. 100 ;	One rupee, fifty Naye Paise.
where it exceeds Rs. 100, but does not exceed Rs. 200 ;	Three rupees.
where it exceeds Rs. 200, but does not exceed Rs. 300 ;	Four rupees, fifty Naye Paise.
where it exceeds Rs. 300, but does not exceed Rs. 400	Six rupees.
where it exceeds Rs. 400, but does not exceed Rs. 500 ;	Seven rupees, fifty Naye Paise.
where it exceeds Rs. 500, but does not exceed Rs. 600 ;	Nine rupees.
where it exceeds Rs. 600, but does not exceed Rs. 700 ;	Ten rupees, fifty Naye Paise.
where it exceeds Rs. 700, but does not exceed Rs. 800 ;	Twelve rupees.
where it exceeds Rs. 800, but does not exceed Rs. 900 ;	Thirteen rupees, fifty Naye Paise.
where it exceeds Rs. 900, but does not exceed Rs. 1,000 ;	Fifteen rupees.
and for every Rs. 500 or part thereof in excess of Rs. 1,000 ;	Seven rupees, fifty Naye Paise.
(b) when possession is not given or agreed to be given as aforesaid ;	The same duty as a Bond (No. 15) for the amount secured by such deed.
<p><i>Explanation.</i>—A mortgagor who gives to the mortgagee a power of attorney to collect rents or a lease of the property mortgaged or part thereof, is deemed to give possession within the meaning of this article.</p>	
(c) when a collateral or auxiliary or additional or substituted security, or by way of further assurance for the above-mentioned purposes where the principal or primary security is duly stamped—	
for every sum secured not exceeding Rs. 1,000 ;	Seventy-five Naye Paise.
and for every Rs. 1,000 or part thereof secured in excess of Rs. 1,000.	Seventy five Naye Paise.
<i>Exemptions—</i>	
(1) Instruments, executed by persons taking advances under the Land Improvement Loans Act, 1883, or the Agriculturists' Loans Act, 1884, or by their sureties as security for the repayment of such advances.	
(2) Letter of hypothecation accompanying a bill of exchange.	

Description of Instrument	Proper stamp duty
<p>41. MORTGAGE OF A CROP, including any instrument evidencing an agreement to secure the repayment of a loan made upon any mortgage of a crop, whether the crop is or is not in existence at the time of the mortgage—</p> <p>(a) when the loan is repayable not more than three months from the date of the instrument—</p> <p>for every sum secured not exceeding Rs. 200 ; Ten Naye Paise.</p> <p>and for every Rs. 200 or part thereof secured in excess of Rs. 200 ; Ten Naye Paise.</p> <p>(b) when the loan is repayable more than three months, but not more than eighteen months, from the date of the instrument—</p> <p>for every sum secured not exceeding Rs. 100 ; Twenty Naye Paise.</p> <p>and for every Rs. 100 or part thereof secured in excess of Rs. 100. Twenty Naye Paise.</p> <p>NOTARIAL ACT,—that is to say, any instrument, endorsement, note, attestation certificate or entry not being a Protest (No. 450) made or signed by a Notary Public in the execution of the duties of his office, or by any other person lawfully acting as a Notary Public.</p> <p>See also Protest of Bill or Note (No. 50).</p>	
<p>43. NOTE OR MEMORANDUM, sent by a Broker or Agent to his Principal intimating the purchase or sale on account of such Principal—</p> <p>(a) of any goods, exceeding in value twenty rupees ; Twenty-five Naye Paise.</p> <p>(b) of any stock or marketable security exceeding in value twenty rupees. Subject to a maximum of twenty rupees twenty Naye Paise for every Rs. 10,000 or part thereof of the value of the stock or security.</p>	
<p>44. NOTE OF PROTEST BY THE MASTER OF A SHIP.</p>	As in Schedule I.

Description of Instrument	Proper stamp duty
45. PARTITION Instrument of as defined by section 2 (15).	<p>The same duty as a Bond (No. 15) for the amount of the value of the separated share or shares of the property.</p> <p>N. B.—The largest share remaining after the property is partitioned or, if there are two or more shares of equal value and not smaller than any of the other shares then one of such equal shares) shall be deemed to be that from which the other shares are separated :</p> <p>Provided always that—</p> <p>(a) when an instrument of partition containing an agreement to divide property in severalty is executed and a partition is effected in pursuance of such agreement, the duty chargeable upon the instrument effecting such partition shall be reduced by the amount of duty paid in respect of the first instrument, but shall not be less than seventy-five Naye Paise;</p> <p>(b) where land is held on Revenue Settlement for a period not exceeding thirty years and paying the full assessment, the value for the purpose of duty shall be calculated at not more than ten times the annual revenue</p> <p>(c) where a final order for effecting a partition passed by any Revenue authority or any Civil Court, or an award by an arbitrator directing a partition, is stamped with the stamp required for an instrument of partition, and an instrument of partition in pursuance of such order or award is subsequently executed, the duty on such instrument shall not exceed seventy-five Naye Paise.</p>
46. PARTNERSHIP—	
A—Instrument of—	
(a) where the capital of the partnership does not exceed Rs. 500 ;	Two rupees, fifty Naye Paise.
(c) in any other case . . . . .	Fifteen rupees.
B—Dissolution of—	
PAWN OR PLEDGE—See agreement relating to Deposit of Title-deeds, Pawn or Pledge (No. 6).	Ten rupees.
47. POLICY OF INSURANCE . . . . .	As in Schedule I.

Description of Instrument	Proper stamp duty
48. POWER-OF-ATTORNEY [as defined by section 2(31)], not being a Proxy (No. 52)—	
(a) when executed for the sole purpose of procuring the registration of one or more documents in relation to a single transaction or for admitting execution of one or more such documents ;	One rupee.
(b) when required in suits or proceedings under Presidency Small Cause Courts Act, 1882 ;	One rupee.
(c) when authorising one person or more to act in a single transaction other than the case mentioned in clause (a) ;	Two rupees.
(d) when authorising not more than five persons to act jointly and severally in more than one transaction or generally ;	Ten rupees.
(e) when authorising more than five but not more than ten persons to act jointly and severally in more than one transaction or generally ;	Twenty rupees.
(f) when given for consideration and authorising the attorney to sell any immoveable property ;	The same duty as a Conveyance (No. 24) as levied by this Act for the amount of consideration.
(g) in any other case	Two rupees for each person authorised. N.B.—The term “registration” includes every operation incidental to registration under the Indian Registration Act, 1908.
<i>Explanation.</i> —For the purpose of this article more persons than one when belonging to the same firm shall be deemed to be one person.	
49. PROMISSORY NOTE . . . . .	As in Schedule I.
50. PROTEST OF BILL OR NOTE, that is to say, any declaration in writing made by a Notary Public or other person lawfully acting as such, attesting the dishonour of a bill of exchange or promissory note.	Two rupees.
51. PROTEST BY THE MASTER OF A SHIP.	As in Schedule I.
52. PROXY . . . . .	As in Schedule I.
53. RECEIPT . . . . .	As in Schedule I.
54. RECONVEYANCE OF MORTGAGED PROPERTY—	
(a) if the consideration for which the property was mortgaged does not exceed Rs. 1,000 ;	The same duty as a Conveyance (No. 23) as levied by this Act, for the amount of such consideration as set forth in the reconveyance.
(b) in any other case—	
(i) if the reconveyance relates to immoveable property situate within a Municipality, Cantonment Board, or Notified Area ;	Thirty rupees.
(ii) in other cases . . . . .	Twenty rupees.

Description of Instrument	Proper stamp duty
55. RELEASE, that is to say, any instrument (not being such a release as is provided for by section 23-(A) whereby a person renounces a claim upon another person or against any specified property—	
(a) if the amount or value of the claim does not exceed Rs. 1,000 ;	The same duty as a Bond (No. 15) for such amount or value as set forth in the Release.
(b) in any other case	Ten rupees.
56. RESPONDENTIA BOND, that is to say, any instrument securing a loan on the cargo laden or to be laden on board a ship and making repayment contingent on the arrival of the cargo at the port of destination.	The same duty as Bottomry Bond (No. 16) for the amount of the loan secured.
REVOCATION OF ANY TRUST OR SETTLEMENT—	
<i>See</i> Settlement (No. 5b) ; TRUST (No. 64).	
57. SECURITY-BOND OR MORTGAGE DEED, executed by way of security for the due execution of an office, or to account for money or other property received by virtue thereof, or executed by a surety to secure the due performance of a contract—	
(a) when the amount secured does not exceed Rs. 1,000 ;	The same duty as a Bond (No. 15) for the amount secured.
(b) in any other case	Ten rupees.

#### *Exemptions*

Bond or other instrument, when executed—

- (a) by any person for the purpose of guaranteeing that the local income derived from private subscription to a charitable dispensary or hospital or any other object of public utility, shall not be less than a specified sum per mensem ;
- (b) by person taking advances under the Land Improvement Loans Act, 1883, or the Agriculturists Loans Act, 1884, or by their sureties, as security for the repayment of such advances ;
- (c) by officers of Government or their sureties to secure the due execution of an office, or the due accounting for money or other property received by virtue thereof



Description of Instrument	Proper stamp duty
<b>58. SETTLEMENT--</b>	
A.—Instrument of— (including a deed of dower).	The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property settled as set forth in such settlement.
<i>Exemption.</i>	
Deed of dower executed on the occasion of a marriage between Muhammadans.	
B.—Revocation of—	The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property concerned as set forth in the instrument of revocation, but not exceeding twenty rupees.
<i>See also Trust (No. 64).</i>	
59. SHARI WARRANTS to bearer issued under the Companies Act, 1956.	One-and-a-half times the duty payable on a mortgage deed with possession [No. 40 (a)] for the amount equal to the nominal amount of the shares specified in the warrant.
<i>Exemptions.</i>	
Share warrant when issued by a company in pursuance of the Companies Act, 1956, section 114, to have effect only upon payment, as composition for that duty, to the Collector of Stamp Revenue of—	
(a) One-and-a-half per centum of the whole subscribed capital of the company ; or	
(b) if any company which has paid the said duty or composition in full subsequently issues an addition to its subscribed capital, one-and-a-half per centum of the additional capital so issued.	
60. SHIPPING ORDER	As in Schedule I.
<b>61. SURRENDER OF LEASE—</b>	
(a) When the duty with which the lease is chargeable does not exceed ten rupees ;	The duty with which such lease is chargeable.
(b) in any other case	Ten rupees.
<i>Exemption.</i>	
Surrender of lease, when such lease is exempted from duty.	
<b>62. TRANSFER (whether with or without consideration)—</b>	
(a) of shares in an incorporated company or other body corporate ;	One-half of the duty payable on a mortgage deed with possession [No. 40 (a)] for the amount equal to the value of the shares.
(b) of debentures, being marketable securities whether the debenture is liable to duty or not, except debentures provided for by section 8 ;	One-half of the duty payable on a debenture (No. 27) for a consideration equal to the face amount of the debenture.

Description of Instrument	Proper stamp duty
(c) of any interest secured by a bond, mortgage-deed or policy of insurance ;	One-half of the duty with which such bond mortgage-deed or policy of insurance is chargeable subject to a maximum of fifty rupees.
(d) of any property under the Administrator-General's Act, 1913, section 25 ;	Fifteen rupees.
(e) of any trust-property without consideration from one trustee to another trustee, or from a trustee to a beneficiary.	Seven rupees fifty Naye-Paise or such smaller amount as may be chargeable under clauses (a) to (c) of this article.

*Exemptions.*

## Transfers by endorsement—

- (a) of a bill of exchange, cheque or promissory note ;
- (b) of a bill of lading, delivery, order, warrant for goods, or other mercantile document of title to goods ;
- (c) of a policy of insurance ;
- (d) of securities of the Central Government .

*See also section 8.*

63. TRANSFER OF LEASE by way of assignment and not by way of underlease. The same duty as a Conveyance (No. 23) as levied by this Act, for a consideration equal to the amount of the consideration for the transfer.

*Exemption.*

Transfer of any lease exempt from duty.

## 64. TRUST—

- A.—Declaration of—of, or concerning, any property when made by any writing not being a Will. The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property concerned, as set forth in the instrument, but not exceeding thirty rupees.
- B.—Revocation of—of, or concerning, any property when made by any instrument other than a Will. The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property concerned, as set forth in the instrument, but not exceeding twenty rupees.

*See also Settlement (No. 58).*VALUATION.—*See Appraisement (No. 8).*VAKIL.—*See Entry as Vakil (No. 30).*

65. WARRANT FOR GOODS, that is to say, any instrument evidencing the title of any person therein named, or his assigns, or the holder thereof, to the property in any goods lying in or upon any dock, warehouse or wharf, such instrument being signed or certified by or on behalf of the person in whose custody such goods may be. Seventy-five Naye Paise.

[ No. F. 9/6/58-Judl. II. ]

T. C. A. RAMANUJACHARI, Dy. Secy.